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FAX COVER SHEET

TO	
COMPANY	
FAX NUMBER	15712738300
FROM	charles mirho
DATE	2008-07-18 18:35:42 GMT
RE	FSP0264 RESPONSE TO OFFICIAL ACTION

COVER MESSAGE

Attorney Docket Number: FSP0264
Client Reference Number: 265751USCIP
Title: DYNAMIC QUALITY ADJUSTMENT BASED ON CHANGING STREAMING
CONSTRAINTS
Application Number: 09/653,039
Filing Date: Friday, September 01, 2000
First Named Inventor: Pawson, David J.
Group Art Unit: 2157
Examiner Name: Osman, Ramy

3 pages notice noncompliant amendment
12 pages of response
1 page of Certificate of facsimile
1 page of Petition for extension of time to reply
1 page of Request for continued examination
1 page of Fee transmittal to PTO
Authorization to debit deposit account for \$120 dollars.

No virus found in this outgoing message.
Checked by AVG.
Version: 7.5.526 / Virus Database: 270.5.1/1560 - Release Date: 7/18/2008
6:47 AM

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FEE TRANSMITTAL

for

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Title: DYNAMIC QUALITY ADJUSTMENT BASED ON CHANGING STREAMING
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TOTAL FEE: \$120 dollars

This fee includes:

USPTO statutory fee for extension of statutory period of reply by one months: \$120

Payment is made by Authorization to debit deposit account 501691 for \$120 dollars.
PLEASE NOTE **FSP0264** AS THE ATTORNEY DOCKET NUMBER ASSOCIATED
WITH THIS TRANSACTION.

Charge unpaid fees and credit overpayments to deposit account 501691. PLEASE NOTE
FSP0264 AS THE ATTORNEY DOCKET NUMBER ASSOCIATED WITH THIS
TRANSACTION ON THE DEPOSIT ACCOUNT STATEMENT.

Submitted by:

Signature /Charles A. Mirho/
Charles A. Mirho
Reg. 41,199
Attorney for Applicant

Date: 07/18/2008

Address all correspondence to:

FSP LLC
Attn: Charles A Mirho
P.O. Box 890
Vancouver, WA 98666-0890
USA
Phone: 360-737-1748
Fax: 360-294-6426



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,039	09/01/2000	David J. Pawson	50277-1533	6577
7590 05/30/2008 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUST 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER	
			ART UNIT	PAPER NUMBER

DATE MAILED: 05/30/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED: 6/2/08
OBLON, SPIVAK, MCCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT.
Initials/Date Docketed: 6/2/08
Type of Resp(s):
Due Date(s):

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<i>Notice of Non-Compliant Amendment (37 CFR 1.121)</i>	Application No.	Applicant(s)	
	09/653,039	PAWSON, DAVID J.	
	Examiner	Art Unit	
	RAMY M. OSMAN	2157	

Continuation Sheet (PTOL-324)

Application No. _____

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

The amendment document filed on 05 March 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Claim 78 is listed as "Cancelled" however, it contains amended limitations. Claim 65 contains a strikethrough limitation (i.e. deletion), however, the original claim never contained that limitation to begin with.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/ Ramy M Osman/

Primary Examiner, AU 2157

Legal Instruments Examiner (LIE), if applicable

Telephone No. _____

U.S. Patent and Trademark Office
PTOL-324 (01-06)

Notice of Non-Compliant Amendment (37 CFR 1.121)

Part of Paper No. 9

Continuation Sheet (PTOL-324)

Application No.